

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

MARIA ALSINA ORTIZ, ET AL.

Plaintiffs

vs.

ZOE LABOY ALVARADO, IN HER  
PERSONAL CAPACITY, ET AL.

Defendants

CIVIL CASE NO. 98-1893 (CC)

PLAINTIFFS DEMAND  
TRIAL BY JURY

**NOTICE OF APPEARANCE AND EXTENSION OF TIME**

**TO THE HONORABLE COURT:**

**COMES NOW** defendant in his personal capacity, through the undersigned attorney and respectfully states, alleges and prays as follows:

**I. INTRODUCTION**

1.0. The present case was been remanded to this court for further proceedings. Attorney Maria Judith Surillo, from the Department of Justice, has been until now the leading counsel for defendants. Unfortunately, because of some serious personal situation, she has requested and granted a leave form a period of one year. Consequently, attorney Surillo will not be able to handle the defense in this case any longer.

1.1. On the 20<sup>th</sup> day of April 2005, this case was assigned to the undersigned who is in the process of getting the extensive file (about ten boxes of documents) for review. Yesterday, 21<sup>st</sup> day of April 2005, the parties held a telephone conversation where attorney for the Plaintiff did informed the undersigned the fact that the Pre-trial Memorandum would be due today. We agreed as to the fact that the undersigned would need some time to study the extensive file and prepare to draft the pre-trial

memorandum. Attorney for the Plaintiff, informed the undersigned that he would consent to the granting of an extension of time of twenty days for defendants counsel to prepare the pre-trial memorandum.

1.2. The Federal Litigation Division of the Department of Justice is facing a very tough crisis due to the fact that there are only six attorneys working for the division at this time and because of some administrative affairs, they are unable to hire additional attorneys right away. Notwithstanding they are working on it. Consequently, the six attorneys who are working for the division are overloaded with work. Truly, the situation is gotten worst than ever.

1.3. Due to all the above-stated, the undersigned will need more than twenty (20) days to study the extensive file for this case and prepare for a pre-trial. The undersigned hopes that this Honorable Court will be understanding about the undersigned attorney' situation and grant the undersigned at least, thirty (30) days to file the pre-trial order, so that the appearing defendant can assure a responsible legal representation.

**WHEREFORE**, the undersigned attorney very respectfully request that this Honorable Court grants the present motion and consequently allows the undersigned to assume legal representation of defendant, and grant an extension of time of no less than thirty (30) days to file the pre-trial memorandum.

**I HEREBY CERTIFY** that on the 18<sup>th</sup> day of August 2004, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will sent notification of such filing to the attorneys of record.

**RESPECTFULLY SUBMITTED.**

At San Juan, Puerto Rico, 22<sup>nd</sup> day of April 2005..

**ROBERTO J. SANCHEZ RAMOS**

Secretary of Justice

**ARLENE GARDON RIVERA**

Assistant Attorney General

In Charge of Litigation

**JO-ANN ESTADES BOYER**

Director of the Federal Litigation Division

*S/Lavy Aparicio López*

**LAVY APARICIO LOPEZ**

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USDC-PR Bar No. 219503

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